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PTO/SB/51 (10-00)  
Approved for use through 12/30/00, OMB 0691-0033  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

# REISSUE APPLICATION DECLARATION BY THE INVENTOR

Docket Number (Optional)

50277-1646

As a below named inventor, I hereby declare that:

My residence, mailing address and citizenship are stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is described and claimed

in patent number 5,857,180, granted January 5, 1999, and for which a

reissue patent is sought on the invention entitled METHOD AND APPARATUS FOR IMPLEMENTING PARALLEL OPERATIONS IN A DATABASE MANAGEMENT SYSTEM

the specification of which

☐ is attached hereto.

☒ was filed on Jan. 5, 2001 as reissue application number 09,757,399

and was amended on Jan. 5, 2001

(If applicable)

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I verily believe the original patent to be wholly or partly inoperative or invalid, for the reasons described below. (Check all boxes that apply.)

☐ by reason of a defective specification or drawing.

☒ by reason of the patentee claiming more or less than he had the right to claim in the patent.

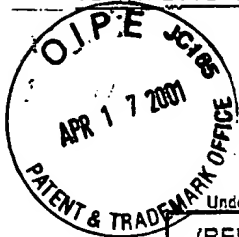
☐ by reason of other errors.

At least one error upon which reissue is based is described below. If the reissue is a broadening reissue, such must be stated with an explanation as to the nature of the broadening:

This is a broadening reissue. The error occurred when, during the prosecution of the original patent, the claims were repeatedly amended by inserting into all of the independent claims limitations directed to additional novel features regardless of the novel features that the claims initially recited. Thus, even the broadest claims resulting from this process require a combination of several independently patentable features, even though the patentee is entitled to separate claims to each of the novel features of the invention. This reissue corrects that error. The nature of the broadening is illustrated by comparing the new Claim 20 to the issued Claim 1. The new Claim 20 requires a set of entities to perform an operation in parallel, where at least one of the entities is assigned more than one work partition from the operation ("feature A"). However, in addition to reciting feature A, the issued Claim 1 recites other novel features, such as generating a serial execution plan and a parallel execution plan for the same operation, and determining which of the two plans to execute based on the resources available at the time of execution ("feature B"). Thus, Claim 1 is partially inoperative in that it can only be used to prevent the unauthorized use of feature A when that feature is used in combination with feature B. In contrast, new Claim 20 covers feature A without also requiring feature B.

(Page 1 of 2)

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## (REISSUE APPLICATION DECLARATION BY THE INVENTOR, page 2)

Docket Number (Optional)  
50277-1646

All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant. As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith.

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Registration Number

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.

Full name of sole or first inventor (given name, family name)

Gary Hallmark

Inventor's signature

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Feb 21, 2001

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Full name of third joint inventor (given name, family name)

Inventor's signature

Date

Residence

Citizenship

Mailing Address

☐ Additional joint inventors are named on separately numbered sheets attached hereto.



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Docket Number (Optional)

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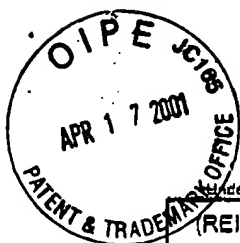
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REISSUE APPLICATION DECLARATION BY THE INVENTOR, page 2)

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Registration Number

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|  |                                       |       |                |     |       |
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| Telephone  | (408) 414-1080                        | Fax   | (408) 414-1076 |     |       |

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Daniel Leary

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Full name of third joint inventor (given name, family name)

Inventor's signature

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